IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 2692 of 1998

Between:

S. Md. Abu Sayeed Sayem, S/o S.A. Rahim Saheb,
R/o Plot No.36, Deluxe Colony,
Tolichowky, Hyderabad. ..... PETITIONER

AND

1 Deccan College of Medical Sciences, Represented by Principal,
Kanchan Bagh, Hyderabad.
2 Dar-us-Salam Educational Trust, Rep. by its Chairman,
Hyderabad.
3 University of Health Sciences, Rep. by its Vice-Chancellor,
Vijayawada.
4 Government of Andhra Pradesh, Rep. by its Secretary,
Health, Medical & Family Welfare Department, Secretariat,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ Mandamus declaring the action of the 4th Respondent in deleting clauses (vii) and (ix) of para 2 in G.O.Ms.No.470, Health, Medical and Family Welfare Department dt: 4-12-1997 through G.O.Ms.No.491, Health, Medical and Family Welfare Department dt: 24-12-1997 as illegal, arbitrary and unconstitutional being voilative of Art. 14 of the Constitution of India and against - (1) Section 2 (4) (b) and Section 6 of the Statute on Afflications issued by the 3rd Respondent, (ii) the very object and reasoning of Section 4 of A.P. Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983, (iii) the order passed by

the 3rd Respondent in their proceedings No.172/An/89 dt: 10-6-1997 & (iv) principles of natural justice and set aside the same.

Counsel for the Petitioner : Mr.NANDIGAM KRISHANA RAO

Counsel for Respondents : GP FOR MEDICAL & HEALTH

The Court made the following :

ORDER:

Learned counsel for the petitioner submits that no cause survives in this writ petition and it has become infructuous.

Recording the submissions made by the learned counsel for the petitioner, this Writ Petition is dismissed as having become infructuous. No order as to costs.

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N.V.RAMANA, J

Date: 21.4.2005

DA/SVV

To

1 The Principal, Deccan College of Medical Sciences,
Kanchan Bagh, Hyderabad.
2 The Chairman, Dar-us-Salam Educational Trust, Hyderabad.
3 The Vice Chancellor, University of Health Sciences,
Vijayawada.
4 The Secretary, Government of Andhra Pradesh,
Health, Medical & Family Welfare Department, Secretariat,
Hyderabad.

5 Two CCs to the G.P. for Medical & Health, High Court Buildings,

Hyderabad (OUT).

6 Two CD copies.